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CRC ACTION

Commissioner

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Floor: 6/00

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03/19/2018 06:36 PM

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Commissioner Lee moved the following:

**CRC Amendment (with title amendment)**

Delete line 10

and insert:

Sections 3 and 19 of Article III of the State Constitution  
are

After line 50

insert:

SECTION 19. State Budgeting, Planning and Appropriations  
Processes.—



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12 (a) ANNUAL BUDGETING.

13 (1) General law shall prescribe the adoption of annual  
14 state budgetary and planning processes and require that detail  
15 reflecting the annualized costs of the state budget and  
16 reflecting the nonrecurring costs of the budget requests shall  
17 accompany state department and agency legislative budget  
18 requests, the governor's recommended budget, and appropriation  
19 bills.

20 (2) Unless approved by a three-fifths vote of the  
21 membership of each house, appropriations made for recurring  
22 purposes from nonrecurring general revenue funds for any fiscal  
23 year shall not exceed three percent of the total general revenue  
24 funds estimated to be available at the time such appropriation  
25 is made.

26 (3) As prescribed by general law, each state department and  
27 agency shall be required to submit a legislative budget request  
28 that is based upon and that reflects the long-range financial  
29 outlook adopted by the joint legislative budget commission or  
30 that specifically explains any variance from the long-range  
31 financial outlook contained in the request.

32 (4) For purposes of this section, the terms department and  
33 agency shall include the judicial branch.

34 (b) APPROPRIATION BILLS FORMAT. Separate sections within  
35 the general appropriation bill shall be used for each major  
36 program area of the state budget; major program areas shall  
37 include: education enhancement "lottery" trust fund items;  
38 education (all other funds); human services; criminal justice  
39 and corrections; natural resources, environment, growth  
40 management, and transportation; general government; and judicial



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41 branch. Each major program area shall include an itemization of  
42 expenditures for: state operations; state capital outlay; aid to  
43 local governments and nonprofit organizations operations; aid to  
44 local governments and nonprofit organizations capital outlay;  
45 federal funds and the associated state matching funds; spending  
46 authorizations for operations; and spending authorizations for  
47 capital outlay. Additionally, appropriation bills passed by the  
48 legislature shall include an itemization of specific  
49 appropriations that exceed one million dollars (\$1,000,000.00)  
50 in 1992 dollars. For purposes of this subsection, "specific  
51 appropriation," "itemization," and "major program area" shall be  
52 defined by law. This itemization threshold shall be adjusted by  
53 general law every four years to reflect the rate of inflation or  
54 deflation as indicated in the Consumer Price Index for All Urban  
55 Consumers, U.S. City Average, All Items, or successor reports as  
56 reported by the United States Department of Labor, Bureau of  
57 Labor Statistics or its successor. Substantive bills containing  
58 appropriations shall also be subject to the itemization  
59 requirement mandated under this provision and shall be subject  
60 to the governor's specific appropriation veto power described in  
61 Article III, Section 8.

62 (c) APPROPRIATIONS PROCESS.

63 (1) No later than September 15 of each year, the joint  
64 legislative budget commission shall issue a long-range financial  
65 outlook setting out recommended fiscal strategies for the state  
66 and its departments and agencies in order to assist the  
67 legislature in making budget decisions. The long-range financial  
68 outlook must include major workload and revenue estimates. In  
69 order to implement this paragraph, the joint legislative budget



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70 commission shall use current official consensus estimates and  
71 may request the development of additional official estimates.

72 (2) The joint legislative budget commission shall seek  
73 input from the public and from the executive and judicial  
74 branches when developing and recommending the long-range  
75 financial outlook.

76 (3) The legislature shall prescribe by general law  
77 conditions under which limited adjustments to the budget, as  
78 recommended by the governor or the chief justice of the supreme  
79 court, may be approved without the concurrence of the full  
80 legislature.

81 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. All general  
82 appropriation bills shall be furnished to each member of the  
83 legislature, each member of the cabinet, the governor, and the  
84 chief justice of the supreme court at least seventy-two hours  
85 before final passage by either house of the legislature of the  
86 bill in the form that will be presented to the governor.

87 (e) FINAL BUDGET REPORT. A final budget report shall be  
88 prepared as prescribed by general law. The final budget report  
89 shall be produced no later than the 120th day after the  
90 beginning of the fiscal year, and copies of the report shall be  
91 furnished to each member of the legislature, the head of each  
92 department and agency of the state, the auditor general, and the  
93 chief justice of the supreme court.

94 (f) TRUST FUNDS.

95 (1) No trust fund of the State of Florida or other public  
96 body may be created or re-created by law without a three-fifths  
97 vote of the membership of each house of the legislature in a  
98 separate bill for that purpose only.



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99           (2) State trust funds shall terminate not more than four  
100 years after the effective date of the act authorizing the  
101 initial creation of the trust fund. By law the legislature may  
102 set a shorter time period for which any trust fund is  
103 authorized.

104           (3) Trust funds required by federal programs or mandates;  
105 trust funds established for bond covenants, indentures, or  
106 resolutions, whose revenues are legally pledged by the state or  
107 public body to meet debt service or other financial requirements  
108 of any debt obligations of the state or any public body; the  
109 state transportation trust fund; the trust fund containing the  
110 net annual proceeds from the Florida Education Lotteries; the  
111 Florida retirement trust fund; trust funds for institutions  
112 under the management of the Board of Governors, where such trust  
113 funds are for auxiliary enterprises and contracts, grants, and  
114 donations, as those terms are defined by general law; trust  
115 funds that serve as clearing funds or accounts for the chief  
116 financial officer or state agencies; trust funds that account  
117 for assets held by the state in a trustee capacity as an agent  
118 or fiduciary for individuals, private organizations, or other  
119 governmental units; and other trust funds authorized by this  
120 Constitution, are not subject to the requirements set forth in  
121 paragraph (2) of this subsection.

122           (4) All cash balances and income of any trust funds  
123 abolished under this subsection shall be deposited into the  
124 general revenue fund.

125           (g) BUDGET STABILIZATION FUND. Subject to the provisions of  
126 this subsection, an amount equal to at least 5% of the last  
127 completed fiscal year's net revenue collections for the general



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128 revenue fund shall be retained in the budget stabilization fund.  
129 The budget stabilization fund's principal balance shall not  
130 exceed an amount equal to 10% of the last completed fiscal  
131 year's net revenue collections for the general revenue fund. The  
132 legislature shall provide criteria for withdrawing funds from  
133 the budget stabilization fund in a separate bill for that  
134 purpose only and only for the purpose of covering revenue  
135 shortfalls of the general revenue fund or for the purpose of  
136 providing funding for an emergency, as defined by general law.  
137 General law shall provide for the restoration of this fund. The  
138 budget stabilization fund shall be comprised of funds not  
139 otherwise obligated or committed for any purpose.

140 (h) LONG-RANGE STATE PLANNING DOCUMENT AND DEPARTMENT AND  
141 AGENCY PLANNING DOCUMENT PROCESSES. General law shall provide  
142 for a long-range state planning document. The governor shall  
143 recommend to the legislature biennially any revisions to the  
144 long-range state planning document, as defined by law. General  
145 law shall require a biennial review and revision of the long-  
146 range state planning document and shall require all departments  
147 and agencies of state government to develop planning documents  
148 that identify statewide strategic goals and objectives,  
149 consistent with the long-range state planning document. The  
150 long-range state planning document and department and agency  
151 planning documents shall remain subject to review and revision  
152 by the legislature. The long-range state planning document must  
153 include projections of future needs and resources of the state  
154 which are consistent with the long-range financial outlook. The  
155 department and agency planning documents shall include a  
156 prioritized listing of planned expenditures for review and



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157 possible reduction in the event of revenue shortfalls, as  
158 defined by general law.

159 (i) GOVERNMENT EFFICIENCY TASK FORCE. No later than January  
160 of 2007, and each fourth year thereafter, the president of the  
161 senate, the speaker of the house of representatives, and the  
162 governor shall appoint a government efficiency task force, the  
163 membership of which shall be established by general law. The  
164 task force shall be composed of members of the legislature and  
165 representatives from the private and public sectors who shall  
166 develop recommendations for improving governmental operations  
167 and reducing costs. Staff to assist the task force in performing  
168 its duties shall be assigned by general law, and the task force  
169 may obtain assistance from the private sector. The task force  
170 shall complete its work within one year and shall submit its  
171 recommendations to the joint legislative budget commission, the  
172 governor, and the chief justice of the supreme court.

173 (j) JOINT LEGISLATIVE BUDGET COMMISSION. There is created  
174 within the legislature the joint legislative budget commission  
175 composed of equal numbers of senate members appointed by the  
176 president of the senate and house members appointed by the  
177 speaker of the house of representatives. Each member shall serve  
178 at the pleasure of the officer who appointed the member. A  
179 vacancy on the commission shall be filled in the same manner as  
180 the original appointment. From November of each odd-numbered  
181 year through October of each even-numbered year, the chairperson  
182 of the joint legislative budget commission shall be appointed by  
183 the president of the senate and the vice chairperson of the  
184 commission shall be appointed by the speaker of the house of  
185 representatives. From November of each even-numbered year



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186 through October of each odd-numbered year, the chairperson of  
187 the joint legislative budget commission shall be appointed by  
188 the speaker of the house of representatives and the vice  
189 chairperson of the commission shall be appointed by the  
190 president of the senate. The joint legislative budget commission  
191 shall be governed by the joint rules of the senate and the house  
192 of representatives, which shall remain in effect until repealed  
193 or amended by concurrent resolution. The commission shall  
194 convene at least quarterly and shall convene at the call of the  
195 president of the senate and the speaker of the house of  
196 representatives. A majority of the commission members of each  
197 house plus one additional member from either house constitutes a  
198 quorum. Action by the commission requires a majority vote of the  
199 commission members present of each house. ~~The commission may~~  
200 ~~conduct its meetings through teleconferences or similar means.~~  
201 In addition to the powers and duties specified in this  
202 subsection, the joint legislative budget commission shall  
203 exercise all other powers and perform any other duties not in  
204 conflict with paragraph (c) (3) and as prescribed by general law  
205 or joint rule.

206  
207 ===== T I T L E A M E N D M E N T =====

208 And the title is amended as follows:

209 Delete lines 2 - 5

210 and insert:

211 Sections 3 and 19 of Article III of the State  
212 Constitution to provide that the Legislature convene  
213 for regular session on the second Tuesday after the  
214 first Monday in January of each even-numbered year and



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215 | to remove authorization for the Joint Legislative  
216 | Budget Commission to conduct meetings through  
217 | teleconferences or similar means.